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11 *Attorneys for Plaintiff, MetLife Home Loans LLC*

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 METLIFE HOME LOANS LLC,

15 Plaintiff

16 vs.

17 FIDELITY NATIONAL TITLE GROUP,
18 INC.; CHICAGO TITLE INSURANCE
19 COMPANY; CHICAGO TITLE AGENCY
20 OF NEVADA, INC. AKA CHICAGO TITLE
21 OF NEVADA, INC.; DOE INDIVIDUALS I
22 through X; and ROE CORPORATIONS XI
23 through XX, inclusive,

24 Defendants

Case No.: 2:20-cv-01798-CDS-VCF

**STIPULATION AND ORDER FOR
LIMITED STAY OF CASE**

25 Plaintiff MetLife Home Loans LLC (“Plaintiff”) and Defendants Fidelity National Title
26 Group, Inc. Chicago Title Insurance Company and Chicago Title Agency of Nevada, Inc. aka
27 Chicago Title of Nevada, Inc. (“Defendants”) (collectively the “Parties”) by and through their
28 respective counsel, hereby stipulate and agree as follows:

29 This matter involves a title insurance coverage claim wherein Plaintiff contends, and
30 Defendants dispute, that the title insurance claim involving an HOA assessment lien and
31 subsequent sale was covered by the subject policy of title insurance. There are now currently
32 pending in the United States District Court for the District of Nevada and Nevada state courts
33 more than one-hundred actions between national banks, on the one hand, and title insurers, on the
34 other hand. In virtually all of these actions, the title insurer underwrote an ALTA 1992 or ALTA

1 2006 loan policy of title insurance with form 1 coverage, along with the CLTA 100/ALTA 9
2 and/or CLTA 115.2/ALTA 5 endorsements.

3 The Parties have conferred and believe a limited four month stay is warranted. The Nevada
4 Supreme Court recently heard oral argument on April 11, 2023 in two appeals involving similar
5 coverage issues, *PennyMac Corp. v. Westcor Land Title Ins. Co.*, Nevada Supreme Court Case
6 No. 83737 (District Court Case No. A-18-781257-C) (“*PennyMac*”) and *Deutsche Bank Nat’l*
7 *Trust Co. v. Fidelity Nat’l Title Ins. Co.*, Nevada Supreme Court Case No. 84161 (District Court
8 Case No. A-20-820307-C) (“*Deutsche Bank*”). The matters have been taken under submission
9 and orders are pending. The Parties anticipate that the Nevada Supreme Court’s decisions in the
10 foregoing appeals may touch upon issues regarding the interpretation of policy and claims
11 handling, that could potentially affect the disposition of the instant action.

12 Accordingly, the Parties believe a stay of four months in the instant action will best serve
13 the interests of judicial economy. The Parties request that the action be stayed for a period of
14 four months, through and including, September 1, 2023. The Parties are to submit a Joint Status
15 Report on or before September 1, 2023. The Parties further agree that this stipulation and stay of
16 this case is entered based on the specific circumstances surrounding this particular case, and that
17 this stipulation shall not be viewed as a reason for granting a stay in any other pending matter.

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1 Notwithstanding the foregoing, in order to preserve evidence, the Parties may propound
2 subpoenas duces tecum and deposition subpoenas to third parties while this stay is in effect, and
3 the Parties may enforce subpoenas that the Parties propounded to third parties.

4 **IT IS SO STIPULATED.**

5 DATED this 1st day of May, 2023

6 WRIGHT, FINLAY & ZAK, LLP

7
8 /s/ Lindsay D. Dragon

9 Lindsay D. Dragon, Esq.

10 Nevada Bar No. 13474

11 7785 W. Sahara Ave., Suite 200

12 Las Vegas, NV 89117

13 *Attorneys for Plaintiff*

DATED this 1st day of May, 2023.

EARLY SULLIVAN WRIGHT GIZER
& McRAE LLP

8 /s/ Sophia S. Lau

9 Sophia S. Lau, Esq.

10 Nevada Bar No. 13365

11 8716 Spanish Ridge Avenue, Suite 105

12 Las Vegas, Nevada 89148

13 *Attorneys for Defendants*

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15 **IT IS SO ORDERED.**

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19 UNITED STATES DISTRICT JUDGE

20 Dated: May 3, 2023